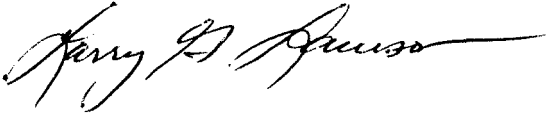


MEMORANDUM

Department of Environmental Quality
Water Division

SUBJECT: OWPS Guidance Memo No. 95-009
Nutrient Management Plans for Activities Covered Under
the VPA General Permit for Confined Animal Feeding
Operations

TO: Regional Directors

FROM: Larry G. Lawson, P.E. 

DATE: November 6, 1995

COPIES: Regional Permit Managers, Martin Ferguson, Russ
Perkinson-DCR

The purpose of this memorandum is to clarify the requirement for nutrient management plans at sites covered by the VPA General Permit for confined animal feeding operations. Subsection 62.1-44.17:1.C of the State Water Control Law and Section 7 of the VPA general permit VR 680-14-22 require that in order to receive coverage the owner must submit with his registration statement a letter from the Department of Conservation and Recreation certifying approval of the Nutrient Management Plan (NMP). Thus, this requirement is in both State Law and regulation.

All facilities seeking coverage under the VPA General Permit must submit the letter with the registration statement regardless of whether or not they were previously covered by an individual VPA permit. If the operation is a new one, then the DCR letter requirement should be straight forward. If the operation is an existing one that was previously covered under an individual VPA permit, they may already have had a NMP approved by DCR. If that is the case, and the NMP is still applicable to the operation to be covered under the General Permit, then the owner need only send a copy of that previous approval letter. If the existing operation does not have a DCR approved NMP (and many of those covered under individual VPA permits may not), or if the approved NMP no longer is applicable, then the owner must obtain a new letter from DCR certifying approval of their NMP before we can issue coverage under the general permit.

I hope that this will clarify the issue. If your staff have questions, please ask them to call Richard Ayers at 762-4075.